

### **REMARKS**

In the Office Action, the Examiner has rejected claims 1-2, 4-6, 14-15, 17-19, and 27-31 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Seto et al. (U.S. 2002/0041692). The Examiner has further rejected claims 3, 7-9, 16, and 20-22 as being obvious under § 103(a), over Seto et al. '692 and further in view of Berstis (U.S. 6,198,996). Claims 10 and 23 were rejected as being obvious over Seto et al. '692 and further in view of Maeda (U.S. 6,859,539). Claims 11-12 and 24-25 were rejected as being obvious over Seto et al. '692 and further in view of Hughes et al. (U.S. 2005/0089177). Claims 13 and 26 were rejected as being obvious over Seto et al. '692 and further in view of Maeda '539, Berstis '996, and Hughes et al. '177. Claims 1-5, 7-18, and 20-31 remain pending in the application.

The present invention is directed to a system and method for setting parameters of an audio system by initially monitoring audio related operator usage patterns. The invention then controls an audio source as well as tuning an antenna associated with an AM/FM tuner based the operator usage patterns and a motor vehicle location.

The Examiner has cited Seto et al. which is an audio system for detecting and analyzing information for determining audio matching a driver's favorite selection. In accordance with Applicant's amended claims 1, 14, and 27, the present invention now recites a system and method for setting operating parameters of an audio system based upon operator usage patterns that includes the steps monitoring audio related operator usage patterns of an audio system, controlling an audio source based upon the operator usage patterns, and tuning an antenna associated with an AM/FM tuner based on the operator usage patterns and a motor vehicle location when a radio signal is correlated with at least one of the operator usage patterns and the motor vehicle location. Clearly, Seto et al. neither teaches nor anticipates the limitations regarding tuning an antenna based on usage patterns and vehicle location.

With regard to the other art cited by the Examiner, Berstis teaches an audio system for setting automotive performance tuner preferences based on the user preference data. This art was cited presumably to show the tuning of a radio tuner based on usage patterns. Similarly, Maeda et al. teach the use of a vehicle sound synthesizer and was apparently cited to illustrate control of an audio source based on vehicle speed. Hughes et al. was also cited by the Examiner

as teaching an intelligent volume control the operates by controlling the volume of an audio source based on window position. However, these secondary references used in combination with Seto et al. neither teach or suggest the tuning an antenna based on operator usage patterns and vehicle position. Although the Examiner has inferred in the Office Action that these limitations may be taught by Seto et al., Seto et. al. includes no reference to tuning of a vehicle antenna.

Accordingly, since the art of record fails to teach the limitations in claims 1, 14, and 27, Applicant respectfully suggests that this application is now in condition for allowance. An early notice thereof is respectfully solicited. Should the Examiner have any comments or suggestions that would expedite the allowance of this application, he is requested to telephone the undersigned.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Moreover, no amendment made was for the purpose of narrowing the scope of any claim unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Please charge any additional fees associated with this amendment and credit any overpayments to Deposit Account No. 16-2463.

Respectfully submitted,

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/Frank M. Scutch III/  
Frank M. Scutch III, Reg. 34484  
PRICE, HENEVELD, COOPER, DEWITT & LITTON, LLP  
695 Kenmoor, S.E.  
P.O. Box 2567  
Grand Rapids, Michigan 49501  
616.949.9610